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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,

v.

ERIK ROJO,
Defendant.

Case No. 5:18-CR-00335-MWF-1
ORDER OF DETENTION

I.

On February 25, 2019, Defendant Erik Rojo aka Erik Bustillos ("Defendant") made his initial appearance in this district on the Indictment filed in the United States District Court for the Central District of California, Case No. 5:18-CR-00335-MWF-1.

The Court appointed Deputy Federal Public Defender Pedro Castillo to represent Defendant.

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1 The Court conducted a detention hearing based on a motion by the
2 Government [18 U.S.C. § 3142(e)] in a case allegedly involving serious risk that
3 Defendant will flee.

4 The Court concludes that the Government is not entitled to a rebuttable
5 presumption that no condition or combination of conditions reasonably will assure
6 the defendant's appearance as required and the safety of any person or the
7 community [18 U.S.C. § 3142(e)(2)] ("Presumption").

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9 II.

10 The Court finds that no condition or combination of conditions will
11 reasonably assure:

- 12 ☒ the appearance of the defendant as required;
13 ☒ the safety of any person or the community.

14 The Court bases its conclusions on the following:

15 As to risk of non-appearance:

- 16 • Defendant currently is serving a custodial sentence and is not
17 expected to be released until September 2021.

18 As to danger to the community:

- 19 • Defendant currently is serving a custodial sentence and is not
20 expected to be released until September 2021; and
21 • History of violent crimes.

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23 III.

24 In reaching this decision, the Court considered: (a) the nature and
25 circumstances of the offense(s) charged, including whether the offense is a crime
26 of violence, a Federal crime of terrorism, or involves a minor victim or a controlled
27 substance, firearm, explosive, or destructive device; (b) the weight of evidence
28 against the defendant; (c) the history and characteristics of the defendant; and

1 (d) the nature and seriousness of the danger to any person or the community. [18
2 U.S.C. § 3142(g).] The Court also considered the report and recommendation of
3 the U.S. Pretrial Services Agency.
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5 V.

6 IT IS THEREFORE ORDERED that Defendant be detained until trial. The
7 defendant will be committed to the custody of the Attorney General for
8 confinement in a corrections facility separate, to the extent practicable, from
9 persons awaiting or serving sentences or being held in custody pending appeal.
10 The defendant will be afforded reasonable opportunity for private consultation
11 with counsel. On order of a Court of the United States or on request of any
12 attorney for the Government, the person in charge of the corrections facility in
13 which defendant is confined will deliver the defendant to a United States Marshal
14 for the purpose of an appearance in connection with a court proceeding.
15 [18 U.S.C. § 3142(i).]
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18 Dated: February 26, 2019

19 _____/s/
HON. MARIA A. AUDERO
20 UNITED STATES MAGISTRATE JUDGE
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